

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	:	
	:	<b>Case No. 2:10-CR-160</b>
<b>Plaintiff,</b>	:	
	:	<b>JUDGE ALGENON L. MARBLEY</b>
<b>v.</b>	:	
	:	
<b>LISETTE L. LEE</b>	:	<b>Magistrate Judge Deavers</b>
	:	
<b>Defendant.</b>	:	
	:	<b><u>ORDER</u></b>

This matter is before the Court on Defendant's Motion to Transfer Defendant's 28 U.S.C. § 2255 Motion to the Presiding Judge. (Doc. #258) Defendant requests the Court transfer the § 2255 Motion from the Magistrate Judge, who has been designated to make a report and recommendation on the § 2255 Motion, to this Court. The Government opposes Defendant's Motion. (Doc. #259)

In the Southern District of Ohio, Local Rule 72.1 permits District Judges to designate any function listed in 28 U.S.C. § 636 to a Magistrate Judge. Among these functions is "to submit to a judge of the court proposed findings of fact and recommendations for the disposition, by a judge of the court, of any motion excepted in subparagraph (A), of applications for post[-]trial relief made by individuals convicted of criminal offenses." 28 U.S.C. § 636(b)(B). It is the common practice of this Court for Magistrate Judges to make reports and recommendations to this Court on a prisoner's motion under 28 U.S.C. § 2255. Defendant has not shown good cause for departing from the established practices of this Court.

For the reasons set forth, Defendant's Motion is, hereby, **DENIED**.

**IT IS SO ORDERED.**

s/ Algenon L. Marbley  
ALGENON L. MARBLEY  
UNITED STATES DISTRICT JUDGE

**DATED: November 15, 2012**